

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RICHARD KITCHERMAN,
Petitioner,**

v.

**WARDEN ROSA LAMAS,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,
Respondents.**

CIVIL ACTION

NO. 13-6625

O R D E R

AND NOW, this 18th day of June, 2015, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Richard Kitchermen, the record in this case, the Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated May 26, 2015, the Notice of Objections to the Report and Recommendation filed by *pro se* petitioner, and Memorandum of Law in Support of the Objectives [sic] of the Report and Recommendation filed by *pro se* petitioner, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated May 26, 2015, is **APPROVED** and **ADOPTED**;
2. Objections to the Report and Recommendation filed by *pro se* petitioner, Richard Kitcherman, are **OVERRULED**. The issues raised by the Objections were addressed in the Report and Recommendation which the Court has approved and adopted; and,
3. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Richard Kitcherman, is **DISMISSED** and **DENIED** for the reasons set forth in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural ruling with respect to petitioner's claim. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.